

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**THE BOARD OF REGENTS OF THE
UNIVERSITY OF TEXAS SYSTEM and
HYDRO-QUÉBEC,**

Plaintiffs,

V.

A123 SYSTEMS, INC., BLACK & DECKER CORPORATION, BLACK & DECKER (U.S.) INC., and CHINA BAK BATTERY INC.,

Defendants.

[illegible]

Civil Action No. 3-06CV1655-B

**DEFENDANTS' THIRD UNOPPOSED MOTION FOR EXTENSION OF TIME
TO RESPOND TO PLAINTIFFS' MOTION FOR LEAVE
TO FILE SECOND AMENDED COMPLAINT**

Defendants A123 Systems, Inc., Black & Decker Corporation, Black & Decker (U.S.) Inc., and China BAK Battery Inc. hereby request a 76-day extension to January 31, 2010 to file their response to Plaintiffs' Motion for Leave to File Second Amended Complaint (Dkt. No. 77). In support of this Motion, Defendants state that, although the parties were optimistic that this matter would be resolved by this time, the parties have not yet fully resolved this dispute. Defendants further state that the negotiations among the parties are complicated, involving many parties inside and outside the United States, but the parties are working diligently on a negotiated resolution and respectfully requests the Court's indulgence of time to complete the process, which is aimed at a complete resolution of this lawsuit.

RELIEF REQUESTED

Wherefore, Defendants respectfully request that this Court grant Defendants' Third Unopposed Motion for Extension of Time to Respond to Plaintiffs' Motion for Leave to File Second Amended Complaint.

Respectfully submitted,

A123 SYSTEMS, INC.

By its attorneys,

/s/ John M. Jackson
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Dated: November 16, 2009

CERTIFICATE OF CONFERENCE

This is to certify (1) that counsel has complied with the meet and confer requirement and (2) the foregoing motion is unopposed.

/s/ John M. Jackson
John M. Jackson

CERTIFICATE OF SERVICE

I certify that on November 16, 2009, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the persons listed below:

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